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November 26, 2002

RECEIVED

**BY HAND DELIVERY**

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Marlene H. Dortch, Esquire  
Secretary  
Federal Communications Commission  
445 12th Street, NW  
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: Notification of *Ex Parte* Communication  
MB Docket No. 02-230**

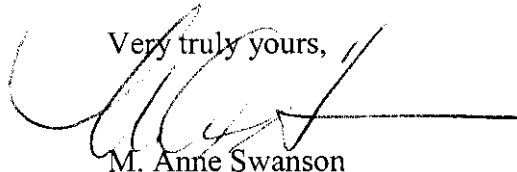
Dear Ms. Dortch:

This is to advise you, in accordance with Section 1.1206 of the FCC's rules, that Emery Simon of the Business Software Alliance, James M. Burger of this firm, and I met late yesterday afternoon with Catherine C. Bohigian, legal advisor on media issues to Commissioner Kevin J. Martin.

The discussion involved the Notice of Proposed Rulemaking, released on August 9, 2002 in the above-referenced docket and many of the questions noted therein. Among the specific items under discussion were the mechanics of the "broadcast flag" approach; jurisdictional issues; and the computer industry's interest in seeing that the FCC, if it decides to act in the area, should establish functional specifications for content protection systems triggered by a "broadcast flag" and allow manufacturers to certify that their products comply with such specifications;

As required by section 1.1206(b), two copies of this letter are being submitted in the above-referenced docket.

Very truly yours,



M. Anne Swanson

cc (by hand delivery):  
Catherine C. Bohigian, Esquire

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